

## REMARKS

The Application has been carefully reviewed in light of the Office Action dated August 24, 2004. Claims 1, 3, 4, 9, 10, 12, 13, 15 to 46 and 62 to 67 are in the application, of which Claims 1, 9 and 12 are independent. Claims 1, 9 and 12 are being amended. Reconsideration and further examination are respectfully requested.

The Office Action lodges objections to the specification, drawings and claims. With respect to the objections to the specification and drawings, Applicants are amending the specification to place the specification in conformance with the drawings. Accordingly, no drawing changes are believed to be needed. With respect to the objection of the use of the phrase "other of the" in Claim 9, the phrase refers to the other of the plurality of folders, and as such is believed to be clear and unambiguous. In addition, reference is respectfully made to MPEP § 1503.01, wherein it is stated that Applicants should be given substantial latitude in the claim language. Finally, with respect to element 703 of Figure 7, reference is respectfully made to the discussion of the element found at page 15, line 14 of the specification, for example. Accordingly, since the specification is seen to discuss element 703 of Figure 7, no amendment to the drawings or specification is believed to be necessary. In view of the above, reconsideration and withdrawal of the objections are respectfully requested.

Claims 1, 3, 4, 18 to 22, 35 to 38, 62 and 63 are rejected under 35 U.S.C. § 112, second and sixth paragraphs. The Office Action alleges that certain means plus function elements lack support in the specification. The rejections are traversed. With respect to the folder retainer means and new document retainer means, reference is

respectfully made to the discussion commencing at page 7, line 27, for example. With respect to the notifying means, reference is respectfully made to page 10, line 22, inter alia, for a discussion thereof. With respect to the claimed candidate identifying means, reference is respectfully made to Figure 1 and element 103. It is believed that there is sufficient support for each and every element of the claims. Reconsideration and withdrawal of the 35 U.S.C. § 112, second and sixth paragraph rejections of Claims 1, 3, 4, 18 to 22, 35 to 38, 62 and 63 is therefore respectfully requested.

Claims 1, 9 and 12 are rejected under 35 U.S.C. § 112, second paragraph. More specifically, the Office Action indicates that the claim limitation “the at least one candidate folder having documents more similar to the new document than documents in other of the plurality of folders”. As discussed above, it is believed that the phrase “other of the plurality of folders” of Claim 1 is sufficiently clear and unambiguous. It is further submitted that the remaining portion of the phrase is sufficiently clear and unambiguous. In addition, Claims 1, 9 and 12 are amended to refer to a folder searcher used to identifier at least one candidate folder. Accordingly, since the language of the claims are believed to be sufficiently clear and unambiguous, reconsideration and withdrawal of the 35 U.S.C. § 112, second paragraph rejection of Claims 1, 9 and 12 are respectfully requested.

Claims 9, 10, 15, 23 to 28, 39 to 42, 64 and 65 are rejected under 35 U.S.C. § 101. In response, Claims 9 is amended to recite a document processing method of a document processing system, which includes a processing unit and memory. Claim 9, together with the other claims which depend directly or indirectly from Claim 9, are believed to be statutory subject matter. Accordingly, reconsideration and withdrawal of the

35 U.S.C. § 101 rejection are respectfully requested.

Applicants gratefully acknowledge the indication of patentable subject matter, with Claims 64 and 66 being allowable if rewritten in independent form. However, since Applicants believe the claims from which these claims dependent also recite patentable subject matter, Claims 64 and 66 are not rewritten in independent form.

By the Office Action, Claims 1, 3, 15 to 17, 23, 28 and 29 are rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,751,287 (Hahn), and Claims 4, 9, 10, 12, 13, 18 to 22, 24 to 27, 30 to 42 and 62 to 65 are rejected under 35 U.S.C. § 103(a) over Hahn and U.S. Patent No. 5,832,470 (Morita).

The present invention generally concerns storing a new document in a folder which stores similar documents. According to the present invention, a folder search searches for at least one candidate folder from a plurality of folders which is suitable for storing the new document. The folder search compares a feature of the new document with a feature of the documents in each of the plurality of folders. A user selects one of the folders from the folders searched to store the new document.

Advantageously and by virtue of this arrangement, saving the document by a user is facilitated, since the user is provided with folders identified as having documents similar to the new document, and the user is able to save the document in any one of the searched folders.

Turning to the specific language of the claims, Claim 1 defines a document processing system comprising a folder retainer means, new document retainer means, folder searcher means, and a controlling means. The folder retainer means retains a

plurality of folders, each of the folders storing at least one document. The new document retainer means retains a new document. The folder searcher means searches folders from a plurality of folders to identify at least one candidate folder suitable for storing the new document, by comparing a feature of the new document with a feature of the documents in each of the plurality of folders, wherein, the at least one candidate folder has documents more similar to the new document than documents in other of the plurality of folders. The controlling means controls to store the new document into a selected folder selected by a user from the plurality of folders searched by the folder searcher.

The applied art, namely Hahn, is not seen to show each and every one of the above-identified features, particularly as regards: 1) a folder searcher searching for a candidate folder which has documents more similar to the new document than documents in other of the plurality of folders, wherein the folder searcher compares a feature of the new document with a feature of the documents in each of the plurality of folders, and 2) a controlling means by which the new document is stored into a user-selected folder from the plurality of folders searched by the folder searcher.

Hahn is seen to describe a user interface for displaying contents of a file system using a cabinet, drawers, folders and documents. Hahn, at col. 2, lines 56 to 64, is merely seen to describe displaying the image of a file cabinet, together with drawers and folders. This is not seen to be the same as searching for a candidate folder by comparing a features of a new document with a feature of documents in a plurality of folders. While Hahn, at col. 10, lines 50 to 56, describes an autofile option which returns a list of suggested file folders, nothing in Hahn is seen to describe the folder searcher and controlling means of the present invention, wherein the folder searcher means searches a

plurality of folders to identify at least one candidate folder from the plurality of folders which is suitable for storing the new document. The folder searcher comparing a feature of the new document with a feature of documents in each of the plurality of folders, wherein the at least one candidate folder has documents more similar to the new document than documents in other of the plurality of folders. The controlling means controlling to store the new document into a selected folder selected by a user from the plurality of folders searched by the folder searcher.

Therefore, since Hahn is not seen to teach each and every one of the features of Claim 1, Claim 1 is believed to be patentable over Hahn.

Further, Applicants submit that Claims 9 and 12 are believed to be patentable over Hahn for at least the same reasons. The Office Action rejects Claims 9 and 12 under 35 U.S.C. § 103(a) over Hahn and Morita. Upon a careful review of Morita, it is also not seen to show a folder searcher searching for a candidate folder which has documents more similar to the new document than documents in other of the plurality of folders, wherein the folder searcher compares a feature of the new document with a feature of the documents in each of the plurality of folders, and a controlling means by which the new document is stored into a folder selected by a user from the plurality of folders searched by the folder searcher means.

The other claims are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In this regard, Applicants repeat their request for clarification regarding

Claim 62. More particularly, Claim 62 is believed to have similar features to those of Claims 64 and 66. The Office Action rejects Claim 62 based on Hahn and Morita. The Office Action concedes that Hahn fails to disclose comparing a feature of a new document with an average of features of documents stored in a folder among a plurality of folders. The Office Action relies on Morita, at col. 2, line 66 to col. 3, line 25, as disclosing this element. However, nothing in the cited portion of Morita is seen to even suggest comparing a feature of a document with an average of features of documents stored in a folder.

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



Carole A. Quinn  
Attorney for Applicants  
Registration No.: 39,000

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-2200  
Facsimile: (212) 218-2200

CA\_MAIN 88151v1